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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 09/651,583  | 08/29/2000  | Hirofumi Terada      | 500.38952X00        | 1012             |
| 20457   | 7590        | 11/22/2004           | EXAMINER            |                  |
| ANTONELLI, TERRY, STOUT & KRAUS, LLP<br>1300 NORTH SEVENTEENTH STREET<br>SUITE 1800<br>ARLINGTON, VA 22209-9889 |             |                      | LAZARO, DAVID R     |                  |
|   |             |                      | ART UNIT            | PAPER NUMBER     |
|   |             |                      | 2155                |                  |

DATE MAILED: 11/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

***Continued Examination Under 37 CFR 1.114***

1. Receipt is acknowledged of a request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e) and a submission, filed on 09/14/04. The submission, however, is not fully responsive to the prior Office action because of the following:

a. The amendment filed on 09/14/04 canceling all claims drawn to the elected invention and presenting only claims drawn to a non-elected invention is non-responsive (MPEP § 821.03 and §706.07(h) section VI.(B)). The remaining claims are not readable on the elected invention because they are drawn to a system and method for determining, calculating and comparing usage amount in order to determine who pays a charge. The elected invention is drawn to a service processing apparatus for executing information processing for supplying a server to a user. See also MPEP 819, 819.01 mb


2. Since the submission appears to be a *bona fide* attempt to provide a complete reply to the prior Office action, applicant is given a shortened statutory period of ONE MONTH or THIRTY DAYS from the mailing date of this letter, whichever is longer, to submit a complete reply. This shortened statutory period for reply supersedes the time period set in the prior Office action. This time period may be extended pursuant to 37 CFR 1.136(a).

Art Unit: 2155

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Lazaro whose telephone number is 571-272-3986. The examiner can normally be reached on 8:30-5:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on 571-272-3978. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
David Lazaro  
November 15, 2004

  
HOSAIN ALAM  
ASSISTANT PATENT EXAMINER